

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: David WALLACH et al

Application No.: 09/155,676

Conf. No. 8997

Filed: January 4, 1999

For: MODULATORS OF THE RECEPTOR ASSOCIATED FACTOR (TRAF), THEIR ...

Art Unit: 1635

Examiner: J. Epps

Washington, D.C.

Atty.'s Docket: WALLACH-21

Date: July 10, 2002

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BY TELEFACSIMILE GROUP 1600

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a ☐ Amendment ☒ Third Supplemental Amendment  
in the above-identified application.☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☒ No additional fee is required.☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 33	MINUS	** 50	0
INDEP.	* 6	MINUS	** 6	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
x 140	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
x 280	\$
TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:Small Entity  
Response Filed Within

- ☐ First - \$ 55.00
- ☐ Second - \$ 200.00
- ☐ Third - \$ 460.00
- ☐ Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
- ☐ Second - \$ 400.00
- ☐ Third - \$ 920.00
- ☐ Fourth - \$ 1440.00

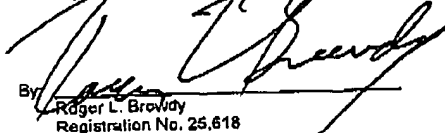
Month After Time Period Set

☐ Less fees (\$110.00) already paid for 1 month(s) extension of time on \_\_\_\_\_.☐ Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_.☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$\_\_\_\_\_.☐ A check in the amount of \$\_\_\_\_\_ is attached (check no. ).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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Atty. Docket: WALLACH=21

In re Application of:

David WALLACH et al

Appln. No.: 09/155,676

Filed: January 4, 1999

For: MODULATORS OF TNF RECEPTOR  
ASSOCIATED FACTOR (TRAF), )  
THEIR PREPARATION AND USE )

Conf. No.: 8997

Art Unit: 1635

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Washington, D.C.

July 10, 2002

BY TELEFACSIMILE

#34 / K.T.  
7/18  
OFFICIAL (K.T.)

## THIRD SUPPLEMENTAL AMENDMENT

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Supplementing applicants' main response of March 20, 2002, and supplemental responses of April 17 and May 10, 2002, please further amend as follows:

IN THE CLAIMS

Please amend claims 55, 59, 62 and 68 as follows:

55 (Twice-amended). A DNA sequence encoding a polypeptide that binds to TRAF2 and either inhibits or increases activity of NF- $\kappa$ B, selected from the group consisting of

(i) a cDNA sequence comprising the nucleotide sequence of SEQ ID NO:1;

(ii) a cDNA sequence comprising the nucleotide sequence of SEQ ID NO:6;